

THE HIGHLAND COUNCIL
CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING
APPLICATIONS AND REVIEW COMMITTEE
4 MARCH 2008

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| Agenda Item | 3.4 |
| Report No | 12/08 |

07/00583/FULCA: ERECTION OF FABRICATION WORKSHOP/OFFICES/STORE EXTENSION TO EXISTING BUILDING, INSTALLATION OF FOUL WASTE TREATMENT PLANT AND INSTALLATION OF SURFACE WATER DRAINAGE SCHEME AT LAND TO THE SOUTH OF THE SMIDDY, BOWER, BY WICK, CAITHNESS.

Report by Area Planning and Building Standards Manager

Summary

Application is made in detail to erect a free-standing workshop with attached offices on currently agricultural land to the south west of the B876 Wick – Castletown road. The proposal also involves the formation of attendant yard space and car parking, and the erection of an extension to an existing industrial shed at the site. The application has attracted 32 letters of objection, and 55 letters in support of the proposal including one from John Thurso MP. The proposal is neither directly in accordance with, nor contrary to, the Highland Structure Plan. The applicant has indicated that the proposal would generate a workforce of 75 employees, the work involved being heavy fabrication related to the oil industry. A high proportion of the objections relate to potential flooding problems and the applicant has submitted a Flood Risk Assessment which, at the time of writing this report, is still being evaluated by the Scottish Environment Protection Agency. It is anticipated that their assessment will be to hand by the time of the Planning Applications and Review Committee meeting.

No recommendation can be made in advance of the consultation response from the Scottish Environment Protection Agency.

Ward Number 4 – Landward Caithness

Applicant: Nicolson Engineering Services Ltd, The Smiddy, Bower, Caithness, KW1 4TT.

1. PROPOSALS

1.1 Application is made in detail for the following:

(a) the erection of a fabrication workshop in the form of a shed with a pitched roof finished in silver box profile sheeting. The shed is proposed to be 60m long by 36m wide, 15.5m high to the eaves and 19.5m to the roof ridge. Two roller shutter doors are proposed at each end of the shed, each door being approximately 12.2m in height.

(b) a two storey lean-to mono-pitch office block attached to the side of the shed accommodating a board room, meeting room, toilet facilities, general offices and store rooms.

(c) the erection of an extension to an existing shed on the site precisely matching it in height, profile etc measuring 24m long by 13m wide (ie doubling its floor space).

(d) the creation of a 47 space car park, the installation of a sewage treatment plant, the creation of an oil and gas compound, and the formation of a hardstanding within the site around the buildings.

(e) the change of use of existing agricultural grazing land to industrial use.

1.2 The site is located to the south-west of the B876 Wick to Castletown road. The current main activity of Nicolson Engineering Services (the applicant) is that of relatively light steel fabrication and the bulk of the existing premises are across the road from the application site to the north west of the road.

1.3 The applicants, however, do have an existing shed and yard on the south west side of the road and this application seeks to greatly extend that installation.

1.4 The proposed premises are required by the applicants to carry out heavy steel fabrication for projects in relation to the world wide oil industry and the applicants have indicated that the proposals would increase the workforce at the site by 75 employees.

1.5 As part of the application a Flood Risk Assessment has been carried out by consultant hydrologists due to a perception that the area is potentially prone to flooding. That assessment is, at the time of writing this report, still being evaluated by the Scottish Environment Protection Agency.

2. PLANNING HISTORY

2.1 Part of the application site was granted planning permission for the formation of accesses from the B876 and for the formation of a car park on 28 July 2006 under application reference 00/00215/FULCA.

2.2 A further application for the extension of the car park to form a hardstanding for open storage and for the erection of a storage building was later granted on 2 August 2002 under application reference 02/00127/FULCA.

3. PUBLIC PARTICIPATION

3.1 The application was advertised on 7 December 2007 under section 34 of the Act for a 14 day period. A total of 32 letters of objection to the proposal have been received, as have 55 letters of support for the proposed including one from John Thurso MP.

3.2 The grounds of objection relate to the following issues:

- a) The site is at risk of flooding and will be liable to contribute to flooding problems in the area.
- b) The proposal is incompatible with drainage service provision in the area.
- c) The proposal will be over dominant in the area and will have an unacceptable impact on landscape character, scenery and habitats and the environment at this rural location.
- d) The proposal will have an adverse effect on the residential amenity of those living in the area by virtue of its scale and the creation of a noise nuisance.
- e) The proposal represents an industrial development which is not compatible with the rural area within which it is sited and it should be located preferably on a brown field site in an area allocated for industrial use.

3.3 The reasons given in the letters of support for the proposal relate to:

- a) Dounreay is entering the final phases of its existence and this proposal will help diversify and strengthen the Far North economy and provide jobs in the engineering sector and thus partly retain the skilled engineering workforce in the area.
- b) The Nicolson Engineering business is already located in Bower and it would make no economic sense to locate the extension to the business anywhere other than Bower.
- c) As Bower is centrally located between Wick and Thurso and not in a built up area then disruption to communities will be kept to a minimum and the harbours at Wick and Scrabster will be easy to access as the need arises.
- d) The proposed development will provide opportunities for school leavers in the area and will assist in arresting the out migration of young people from the area.

3.4 All of the letters of representation are available at the Area Planning Office and will be available at the Committee meeting. The names of those making representation are listed at the end of this report.

4.0 CONSULTATIONS

4.1 **Area Road and Community Works Manager** – No objections provided that the finished floor level of the main fabrication building is raised 600mm above the existing car park level to help to reduce the risk of flooding of the building as the site is within a flood risk area (NB this is a mitigation measure to deal with a flooding problem which is liable to occur less than once every 50 years).

4.2 **Environmental Health Officer** – No objections subject to the attachment of conditions relating to the control of noise and the installation of suitable ventilation systems to the shot blasting and paintshop facilities.

4.3 **Bower Community Council** – Express concerns that the Burn of Bower is unable to cope with storm events and calls upon the Highland Council to improve the capabilities of the burn. Also calls upon the Council to try to ensure that the visual impact of the proposal is mitigated as far as possible and to ensure that potential noise nuisance is limited.

- 4.4 **Scottish Environment Protection Agency** – Initially requested that a decision on this application be deferred until a Flood Risk Assessment had been submitted by the applicants. The required Assessment has been submitted but no evaluation of the Assessment has yet been received from SEPA. They have undertaken to try to submit their evaluation prior to the Planning Application and Review Committee meeting.

With regard to foul drainage arrangements SEPA urge that efforts be made to ascertain whether connection to the public sewer can be made. [I have discussed this with the applicants and they have investigated the issue with Scottish Water but the conclusion is that the public sewer is too far away and that it would be technically prohibitive, and cause undue public disruption, to attempt to make such a connection. As such SEPA can control the applicants' proposals for private sewage facilities under the terms of the Controlled Activities Regulations.]

5.0 POLICY

- 5.1 The following policies are relevant to the assessment of the proposal

Highland Structure Plan (2001)

- G2 Design for Sustainability
- B6 Diversification of Dounreay
- B7 Business Development in Rural Areas
- L4 Landscape Character

Caithness Local Plan (2002)

The policy most relevant to this proposal is Policy 15 of the Landward Chapter of the Plan which states that “The Council generally supports small business development or additions to existing indigenous industries in the Landward Area in accordance with Structure Plan Policy B7, provided there is no adverse impact upon adjacent uses and the development can be adequately serviced.”

- 5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies:

- SPP1 The Planning System
- SPP7 Planning and Flooding
- SPP15 Planning for Rural Development

6.0 PLANNING APPRAISAL

- 6.1 Determining issues – Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance, and National Planning Policy and Guidelines as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
 - whether the layout of development is appropriate
 - the impact on the amenity of the area and residents
 - other material issues raised by the objectors
- 6.3 With regard to policy, Highland Structure Plan Policy B6 which seeks to encourage proposals which will help in the diversification of Dounreay and Policy B7 which encourages extensions to indigenous industries in rural areas, together with Policy 15 of the Landward Chapter of the Caithness Local Plan as detailed above, would appear to support this application. Against this, the provisions of Structure Plan Policy G2 charges the Council to make sure that proposals are reasonable and do not cause unreasonable injury to the environment or to people's amenity.
- 6.4 The Area Roads and Community Works Manager and the Environmental Health Officer both find the proposals acceptable and that is crucial in the consideration of an application for a facility such as that proposed.
- 6.5 With regard to the competing views of the objections to, and the supporters of, this application as expressed in paragraphs 3.2 and 3.3 above, I would make the following comments:

(a) Transport

The point made by the supporters of the application with regard to accessibility to Wick and Scrabster harbours is important. The finished products from the application site are inevitably going to be bulky, heavy and are going to have to be taken to sea because, as I understand it from discussions with the applicants, the finished items are liable to be part of off-shore underwater installations or will require to be shipped all over the world. The Area Roads and Community Works Manager has not indicated that transporting these large objects to either harbour will pose any problems because of any problematic vertical or horizontal alignment of the roads thereto, or by way of any weight restrictions on the roads between the application site and those harbours. Similarly, no problem of transportation of manufacturing materials to the site has been flagged up. These are major considerations in the assessment of the suitability of this site for the development proposed.

(b) Post Dounreay diversification of the employment base

At the outset I would take the view that concerns about the demise of the Dounreay workforce to be somewhat premature. However, there is no doubt that this will happen and the earlier a safety net can start to be constructed the better. This proposal for an engineering works not connected to the nuclear industry is more liable to provide a stable longer term social and economic base than those proposals, whether on-site at Dounreay or off it, which have already been approved or will be necessary to secure the total de-commissioning of the Dounreay site.

(c) Effect on the rural character of the area, the landscape, the destruction of habitat and wildlife by virtue of the scale of the main fabrication building

I can completely understand and empathise with those who made representation saying that this proposal is not in character with the predominantly rural setting in which it is proposed. However, my investigations have not suggested that there is any important habitat destruction nor that this proposal should have any particularly adverse effect on wild animals.

There is no doubt, however, that the main building is huge, particularly in terms of its height. There are examples of agricultural buildings in Caithness of a comparable floor space, and which dominate the surrounding rural landscape, which have been built in recent years on farms without any complaints either before or after they were built. The difference with this building is that it is proposed to accommodate an industrial use and not an agricultural one. There is no doubt that it will be a dominant structure in the landscape. The site, however, is in a depression in the landform of the surrounding area and, as such, its visual effect is very much localised. Some objectors have tried to assert that the proposal would have an adverse effect on scenic views and perception of the area and *per se* damage the tourist industry. This site, however, does not lie within any designated scenic area or an area which has been recognised as having views which must be protected in order to support the rural tourist economy. I do not therefore see any economic downturn to the Caithness economy as a result of this proposal.

(d) The proposal will adversely affect the amenity of local residents

I am concerned about the amenity of those who live adjacent to the application site and the implications that it could have on them. On balance I do not consider that those living adjacent to the application site are going to suffer an unacceptable reduction in their residential amenity but a reduction there will be and it is for this Committee to decide whether the economic benefits on offer to the county justify the reduction in the residential amenity of those neighbouring residents.

- 6.6 I cannot make any recommendation on this application until I have received the evaluation by the Scottish Environment Protection Agency of the submitted Flood Risk Assessment. From my reading of the Assessment, it would appear that the Consultant Hydrologists agree that part of the main building would be liable to be flooded if a 1 in 200 year storm event occurred. As such, the Hydrologists suggest that the floor level of the building be raised by 400mm above the surrounding yard rather than the 600mm recommended by the Area Roads and Community Works Manager. The concerns with regard to flooding raised by the objectors, of course, do not relate to the flooding which may be experienced at the site but rather to the effect the development of this site could have on potential flooding problems on adjacent land. To this end the Consultant Hydrologists have calculated that 115m³ of storage of water in an attenuation pond, outwith the extent of the 200 year Bower Burn Flood, to the west of the site and in the applicants' ownership and control, would mitigate against any effect this proposal could have in altering the hydrological characteristics of the area.

6.7 I am currently waiting to see whether the Scottish Environment Protection Agency agrees with this assessment. When their response is received I will be in a position to make a verbal recommendation at the Committee meeting.

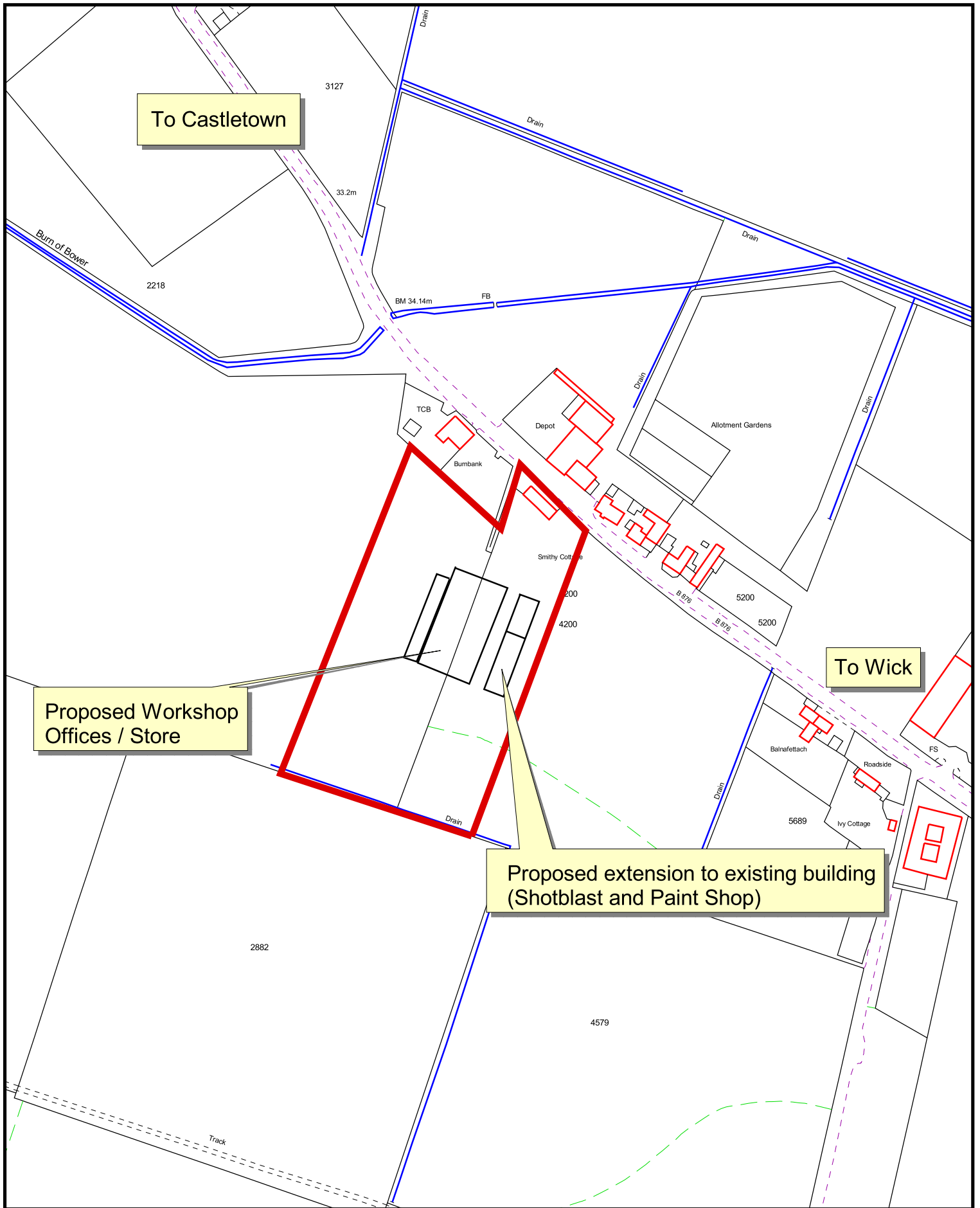
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Iain Ewart, Team Leader (01955 607751)

Date: 22 February 2008

Background papers: As referred to in the above report and case file reference number 07/00583/FULCA.



07/00583/FULCA
Erection of fabrication workshop/office/store.
Extension of building for shotblasting and painting facility.
Installation of sewage treatment plant with outfall to burn at
Land 60m SW of Smithy House, Bower, Caithness.

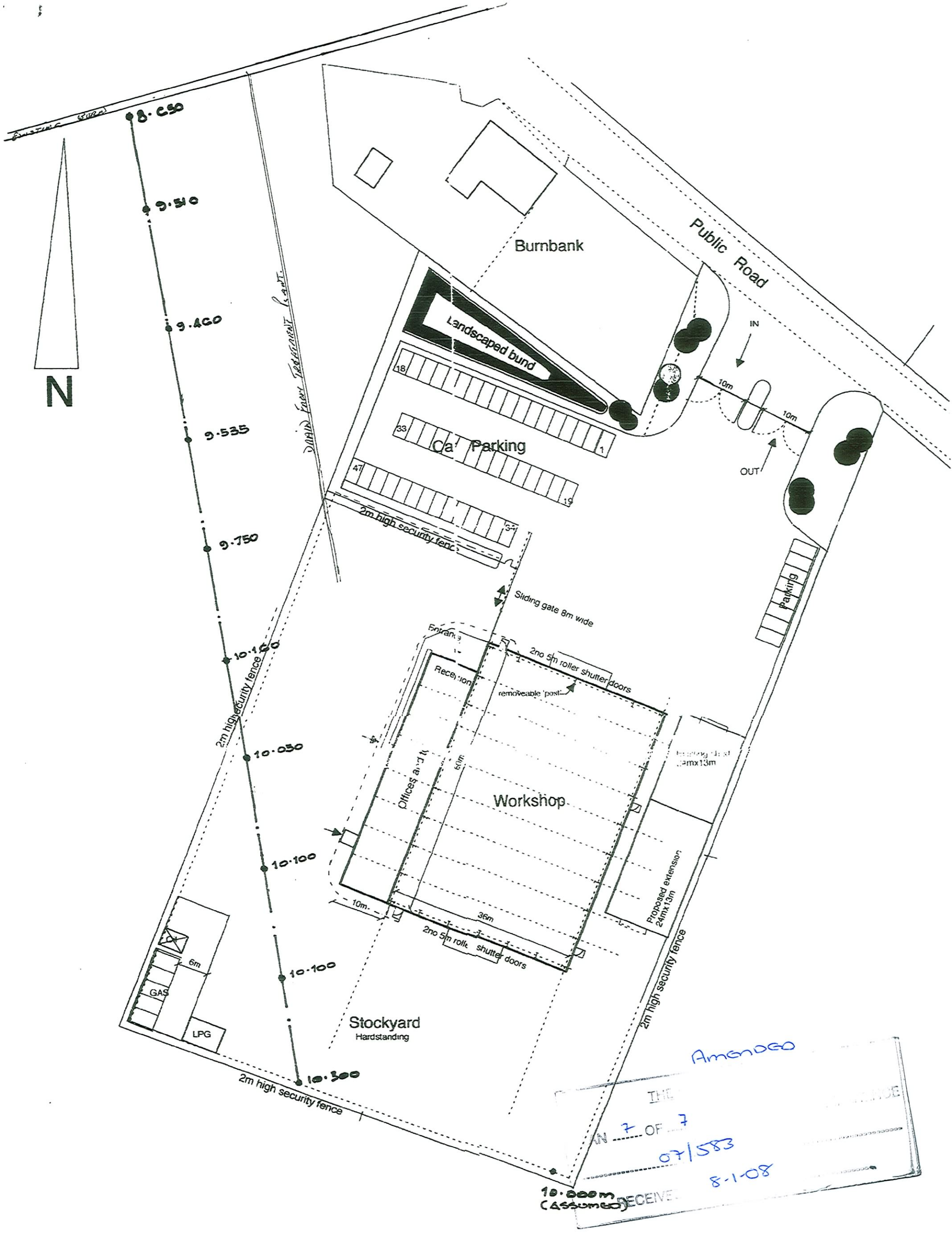
Jim Nocholson
The Smiddy
Bower
Caithness



Date: 21 February 2008

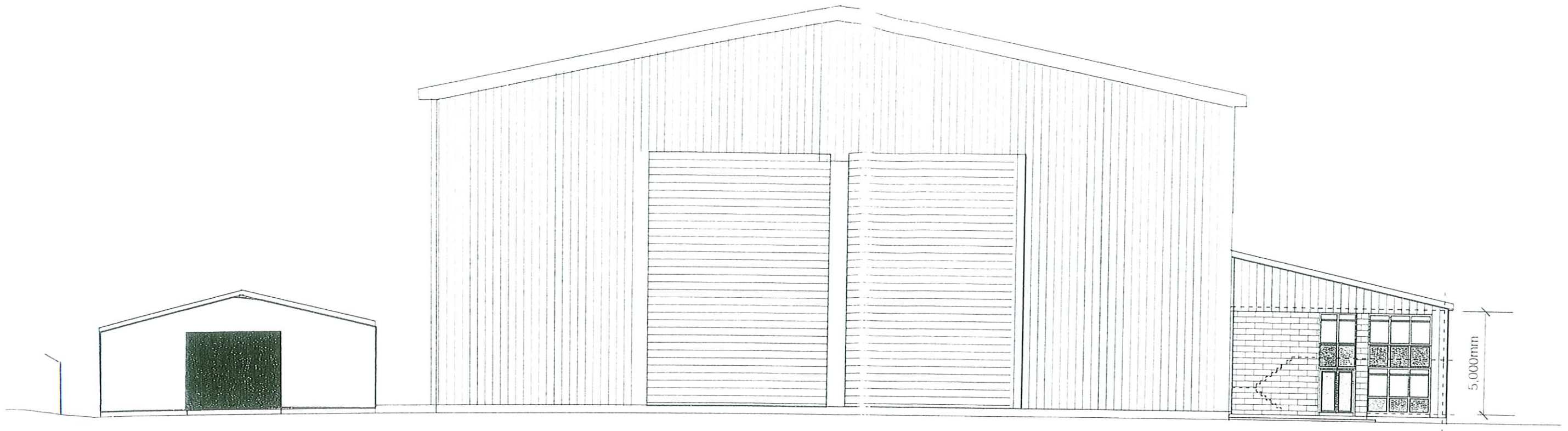
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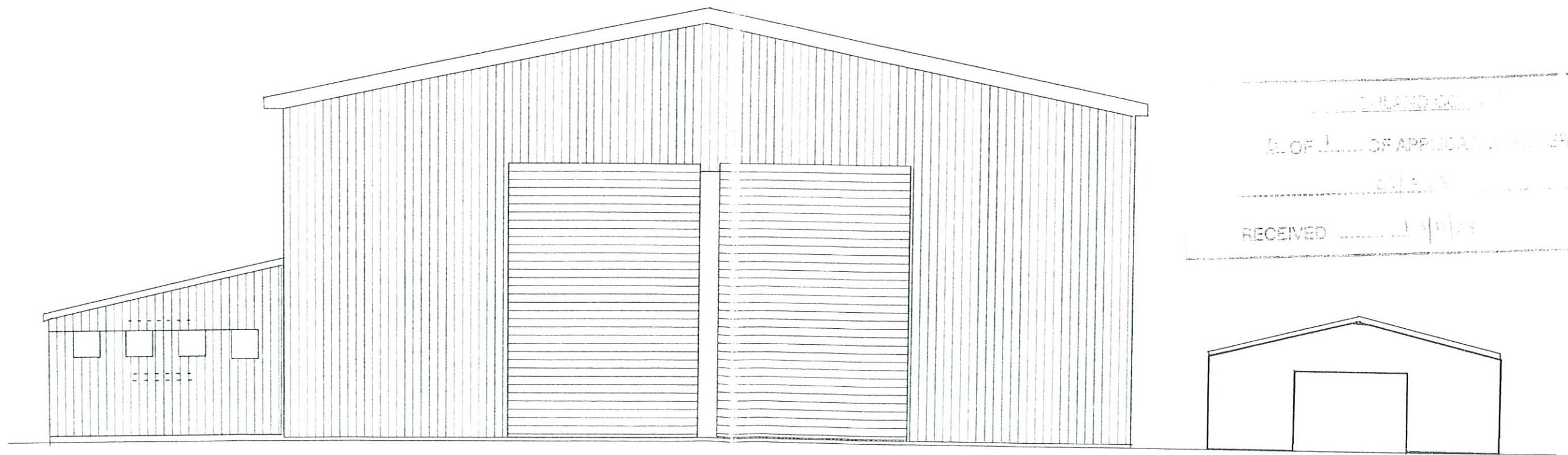


No dimensions to be scaled from this drawing. All dimensions shall be checked on site prior to commencement of any building operations or fabrication of components off site.

EXISTING GROUND LEVELS ALONG
 MAIN SURFACE WATER DRAIN
 NICOLSON ENGINEERING SERVICES LTD
 DEC. 2007

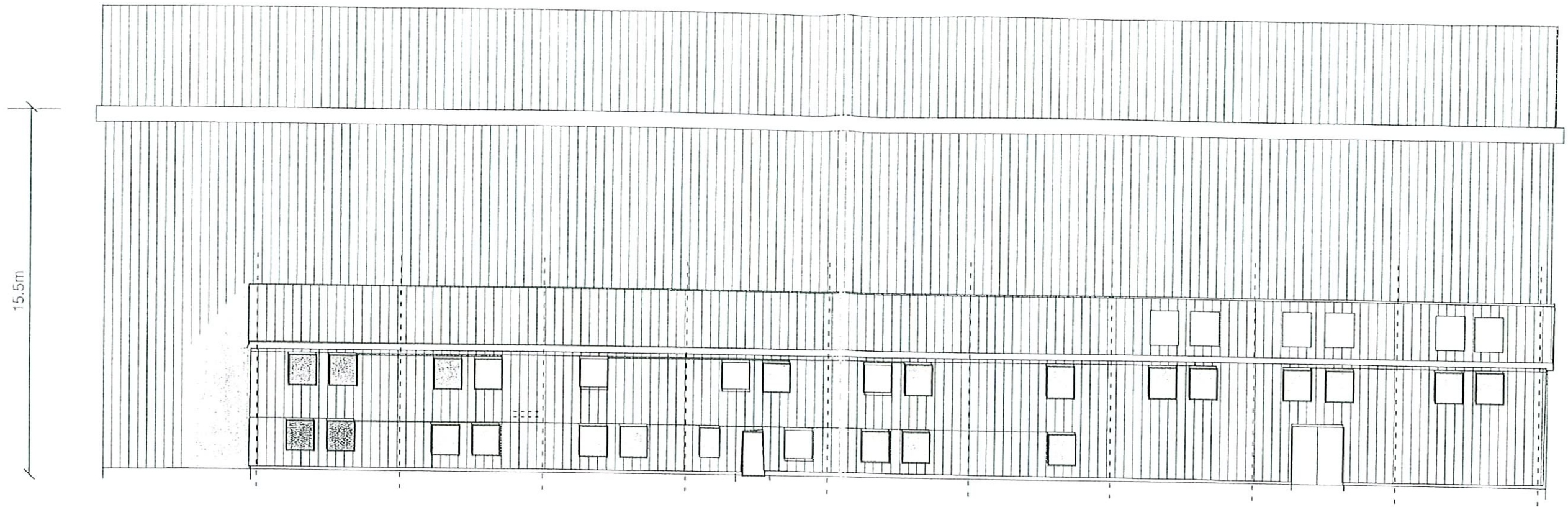


Elevation to north (road)

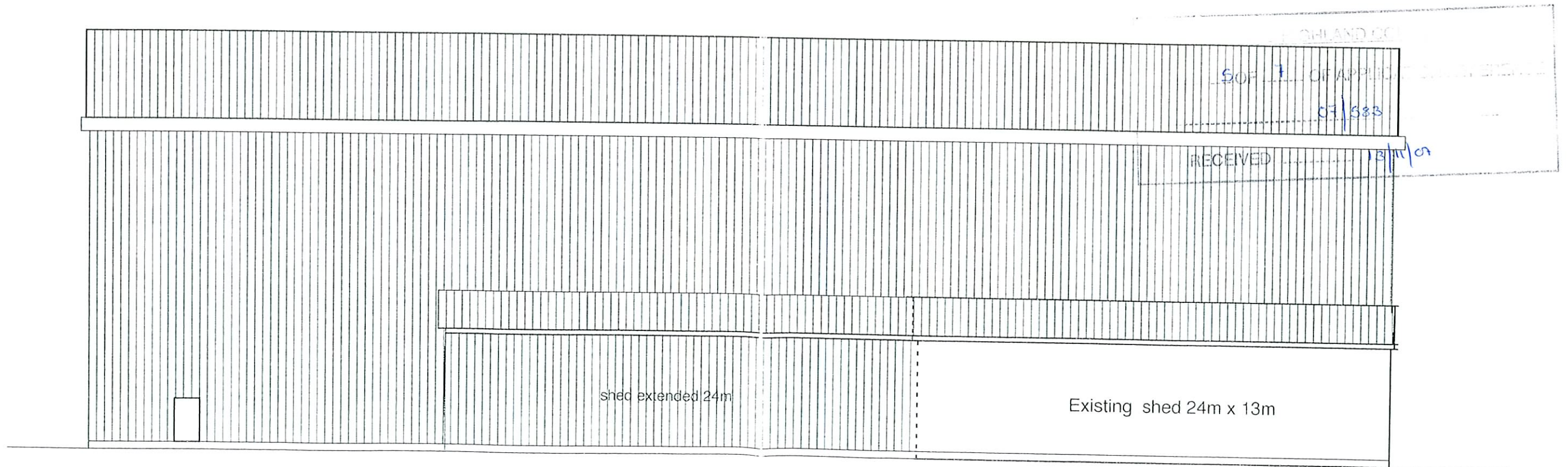


Elevation to South

... PLANNING ...
 ... OF ... OF APPLICANT ...
 ...
 RECEIVED ... 14/11/19



Elevation to West



HIGHLAND DCU
 SOP 7 OF APPLIC...
 CF/583
 RECEIVED 13/11/07

shed extended 24m

Existing shed 24m x 13m

Elevation to East

Proposed workshop/offices Scale 1.500

